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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,720	05/25/2001	Mohsen Sarraf	Sarraf 26	1669
7590 09/30/2004				
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER PASCAL, LESLIE C	
			ART UNIT 2633	PAPER NUMBER

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**  
OCT 04 2004  
Technology Center 2000

## Office Action Summary

**Application No.**

09/681,720

**Applicant(s)**

SARRAF, MOHSEN

**Examiner**

Leslie Pascal

**Art Unit**

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2633

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-7, 12-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Laude (FR2537362, cited by applicant).

Laude teaches receiving a signal (a) and processing the signal to provide a WDM signal having two channels that are each associated with the information bearing signal. In this case,  $M=1$  and  $N=2$ . Further, if "a" were time division multiplexed, the signal "a" would be comprised of more than one ("M") information bearing signals. In regard to claims 7 and 15-16, Laude teaches differential amplifiers which provide differential decoding. Further, in the case where  $M$  does not equal 1, it would have been obvious to use a time division multiplexed signal in order provide multiple information on a single signal. In such a case,  $M$  would be greater than 1.

3. Claims 2 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laude (FR 2537364).

Although Laude does not specifically teach that different encoders are used in order to provide the different signals, he teaches that the signal "a" is processed into two signals "a1" and "a2". It would have been obvious to use encoders in order to provide the two signals which are different from each other

Art Unit: 2633

yet still related to the original signal(s). in regard to claim 10, he teaches that the signals are inverted see figure 4). It would therefore, have been obvious that the signals must be inverted in some way. It would have been obvious to use an inverter in order to provide the inverted signal.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Pascal whose telephone number is 703-305-4922. The examiner can normally be reached on Monday, Friday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 703-305-4729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Pascal  
Primary Examiner  
Art Unit 2633

FORM HDP-1449 (Based on Form PTO-1449)

ATTORNEY DOCKET No.

SERIAL No.

29250-000965/US

09/681,720

APPLICANT

Mohsen SARRAF

FILING DATE

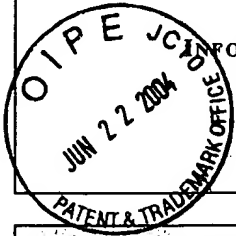
May 25, 2001

GROUP

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PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)

Sheet 1 of 1



## U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date

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JUN 28 2004

Technology Center 2600

## FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
LP		FR 2 537 364 A1	06/08/1984	France	—	Partial	

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	

Examiner:

Pasel

Date Considered:

9-30-04

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Case Name.	M. Sarraf 26
Serial No.	09/681720
Applicant:	M. Sarraf, et al.
Filing Date:	May 25, 2001
Group:	2661

[illegible]

		Document Number	Date	Country	Class	Subclass	Translation
LP	AB	FR 2 563 672 A	31 Oct. 1985	FRANCE	H04B	9/00	No
LP	AC	EP 0 449 474 A	2 Oct. 1991	EPO	H04B	10/00	Yes

Citation (including Author, Title, Date, Pertinent Pages, etc.)		
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Pascal

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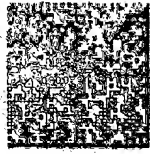
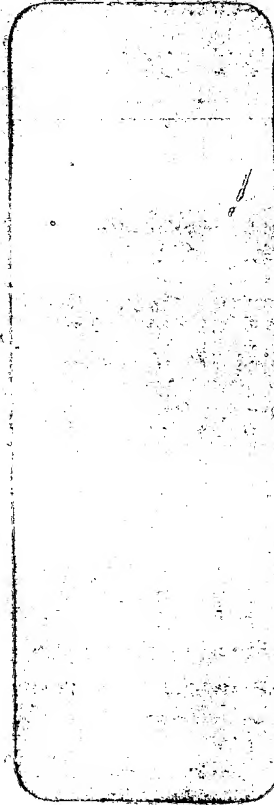
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